

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMCO INSURANCE COMPANY, et al. :

v. : NO. 21-2741

AIM LEASING, D/HB/A AIM NATIONAL
LEASE AND D/B/A AIM
TRANSPORTATION, et al. :

O R D E R

AND NOW, this 21st day of February, 2023, IT IS HEREBY ORDERED that:

1. The motion for judgment on the pleadings [Doc. 58] is **GRANTED** in part and **DENIED** in part.
2. The motion is **DENIED** with respect to Count One of the Amended Declaratory Judgment Action.
3. The Court declares that Depositors Insurance Company is not obligated to defend or indemnify Defendant, AIM Leasing Company d/b/a AIM National Lease and d/b/a AIM Transportation Solutions in the Underlying Actions under the Business Auto Policy.
4. Judgment is **ENTERED** on Count One of the Amended Declaratory Judgment Action in favor of Plaintiff Depositors Insurance Company and against the Defendants.
5. The motion is **GRANTED** with respect to Counts Two through Five of the Amended Declaratory Judgment Action.
6. Counts Two through Five of the Amended Declaratory Judgment Action are **DISMISSED** without prejudice.
7. The Clerk is **DIRECTED** to mark this case closed.

BY THE COURT:

/s/ Jeffrey L. Schmehl
JEFFREY L. SCHMEHL, J.